

Message Text

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ORIGIN PM-05

INFO OCT-01 EUR-12 EA-12 ISO-00 DODE-00 OES-07 CIAE-00
H-02 INR-07 L-03 NSAE-00 NSC-05 PA-02 PRS-01
SP-02 SS-15 USIA-15 ACDA-10 EPA-04 /103 R

DRAFTED BY PM/ISO:JBURGESS:OASD/ISA: TKEENAN:ML
APPROVED BY PM/ISO - GTCHURCHILL
EUR/CE - RCASAGRANDE(DRAFT
EA/J - EFEATHERSTONE
OES/ENP/EN - WMANSFIELD
EUR/RPM -EREFELD (INFO)
-----039331 270421Z /11

R 262009Z SEP 77
FM SECSTATE WASHDC
TO AMEMBASSY BONN
AMEMBASSY TOKYO
COMUSFORCES JA
USCINCEUR
INFO CINCUSAREUR
CINCUSAFE
CINCUSNAVEUR

UNCLAS STATE 230934

E.O. 11652: N/A

TAGS: SENV, MARR, US, JA, GW

SUBJECT: ENVIRONMENTAL POLICY CONCERNING US MILITARY
INSTALLATIONS

1. FOLLOWING IS THE TEXT OF DEPSECDEF MEMORANDUM OF JUNE 14
1977 (CITED IN SEPTTEL) ADDRESSED TO THE SECRETARIES OF THE
MILITARY DEPARTMENTS, THE CHAIRMAN OF THE JOINT CHIEFS OF
STAFF, AND THE DIRECTORS OF DEFENSE AGENCIES, QUOTE:
SUBJECT: CLARIFICATION OF DOD ENVIRONMENTAL POLICY CONCERN-
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ING INSTALLATIONS LOCATED IN FOREIGN COUNTRIES

THIS IS TO PROVIDE CLARIFICATION ON THE FUNDING OF POLLUTION
ABATEMENT PROJECTS AND ON PROVIDING HOST COUNTRY ENVIRON-
MENTAL OFFICIALS' ACCESS TO US CONTROLLED FACILITIES.

SECTION 3(C) OF THE ATTACHED EXECUTIVE ORDER ESTABLISHES US

POLLUTION ABATEMENT POLICY FOR THE OPERATION OF US CONTROLLED FACILITIES IN HOST COUNTRIES. THAT POLICY PROVIDES THAT FEDERAL AGENCIES WILL CONSTRUCT AND OPERATE FEDERAL FACILITIES OUTSIDE US TERRITORY TO COMPLY WITH THE SUBSTANTIVE ENVIRONMENTAL POLLUTION STANDARDS OF GENERAL APPLICABILITY IN THE HOST COUNTRY OR JURISDICTIONS CONCERNED.

THE PHRASE, 'ENVIRONMENTAL POLLUTION STANDARDS OF GENERAL APPLICABILITY IN THE HOST COUNTRY OR JURISDICTIONS CONCERNED,' MEANS, UNLESS OTHERWISE PROVIDED IN STATUS OF FORCES ARRANGEMENTS, THE APPLICABLE POLLUTION CONTROL STANDARDS IN EFFECT AND ENFORCED PURSUANT TO THE NATIONAL POLLUTION CONTROL LAWS OF THE HOST COUNTRY. IT DOES NOT MEAN POLLUTION CONTROL STANDARDS ENACTED OR ADOPTED BY LOCAL GOVERNMENTAL UNITS OR POLITICAL SUBDIVISIONS WHICH ARE NOT IMPLEMENTATIONS OF NATIONAL POLLUTION CONTROL LAWS OF THE HOST COUNTRY.

FOR US PROVIDED FIXED FACILITIES, THE DOD COMPONENT CURRENTLY OPERATING THE FACILITY SHALL PROGRAM TO UPGRADE THE FACILITIES PURSUANT TO THE POLICY SET FORTH HEREIN. IN THE DESIGN OF NEW FIXED FACILITIES FOR DOD USE, THOSE POLLUTION CONTROL MEASURES SHALL BE INCORPORATED INTO THE BASIC DESIGN TO CONFORM WITH THIS POLICY.

FOR FACILITIES PROVIDED BY THE HOST COUNTRY FOR US USE,
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ALL NECESSARY CORRECTIONS TO MEET ENVIRONMENTAL POLLUTION STANDARDS ARE THE RESPONSIBILITY OF THE HOST COUNTRY, UNLESS OTHERWISE PROVIDED UNDER PERTINENT STATUS OF FORCES ARRANGEMENTS. IF FACILITIES PROVIDED BY THE HOST COUNTRY ARE NOT ADEQUATE TO PROTECT THE PUBLIC HEALTH OF US PERSONNEL, AND IF NEGOTIATIONS WITH THE HOST COUNTRY FAIL TO RESOLVE THE PROBLEM, THE DOD COMPONENT SHOULD PROGRAM FUNDS FOR NECESSARY CORRECTIONS.

MOBILE SOURCES, I.E., VESSELS, AIRCRAFT, AND VEHICLES, WHICH ARE MANUFACTURED IN THE US WILL BE DESIGNED TO COMPLY WITH APPLICABLE US POLLUTION STANDARDS, IF ANY. OPERATION OF MOBILE SOURCES IN A HOST COUNTRY SHALL BE IN ACCORDANCE WITH THE APPLICABLE STATUS OF FORCES ARRANGEMENT. IF NO STATUS OF FORCES ARRANGEMENT EXISTS, OPERATION SHALL BE CONSISTENT WITH THE SUBSTANTIVE POLLUTION CONTROL STANDARDS THAT THE HOST COUNTRY'S MILITARY FORCES OBSERVE UNTIL AN ARRANGEMENT ON THE SUBJECT IS WORKED OUT. UNLESS OTHERWISE PROVIDED IN A STATUS OF FORCES ARRANGEMENT, TRANSIENT MOBILE SOURCES OR THOSE SOURCES TEMPORARILY WITHIN A FOREIGN JURISDICTION ARE SUBJECT TO THAT COUNTRY'S STANDARDS TO THE EXTENT SPECIFIED BY THE CLEARANCE FOR THE

VISIT.

THE STATUS OF FORCES ARRANGEMENT WILL GOVERN THE ACCESS
BY HOST COUNTRY ENVIRONMENTAL OFFICIALS TO US CONTROLLED
FIXED FACILITIES. IF THERE ARE NO PROVISIONS GOVERNING
ACCESS, THE SENIOR US COMMANDER OF US FORCES IN THE HOST
COUNTRY SHALL DETERMINE IF ACCESS IS IN THE BEST INTEREST

OF THE US. IF SO, ACCESS MAY BE GRANTED TO HOST COUNTRY
ENVIRONMENTAL OFFICIALS RESPONSIBLE FOR NATIONAL POLLUTION
CONTROL MATTERS. THE US AMBASSADOR TO THE COUNTRY SHALL
BE ADVISED IF ACCESS IS DENIED.

'STATUS OF FORCES ARRANGEMENTS' MEANS AGREEMENTS ON THE
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STATIONING OR OPERATIONS OF FORCES TO WHICH THE US IS A
PARTY, SUCH AS MULTILATERAL OR BILATERAL STATIONING OR
BASE RIGHTS AGREEMENTS AND ARRANGEMENTS OR UNDERSTANDINGS
CONCLUDED THEREUNDER. END QUOTE CHRISTOPHER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
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Control Number: n/a
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Sent Date: 26-Sep-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE230934
Document Source: CORE
Document Unique ID: 00
Drafter: JBURGESS:OASD/ISA: TKEENAN:ML
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770350-1239
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From: STATE
Handling Restrictions: n/a
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Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 8bd0ae3d-c288-dd11-92da-001cc4696bcc
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Subject: ENVIRONMENTAL POLICY CONCERNING US MILITARY INSTALLATIONS
TAGS: SENV, MARR, US, JA, GE
To: BONN TOKYO MULTIPLE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/8bd0ae3d-c288-dd11-92da-001cc4696bcc
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